

# SB3077



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

SB3077

Introduced 11/19/2008, by Sen. Donne E. Trotter

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Emergency Budget Act of 2009. Authorizes the Governor to require contingency reserves of up to 8% concerning appropriations from the General Funds to executive State agencies directly responsible to the Governor, appropriations to the State Board of Education, appropriations for higher education, appropriations to State pension funds, and distributions and payments to units of local government. Provides that the Lieutenant Governor, the Attorney General, the Secretary of State, the Comptroller, and the Treasurer have the same rights and powers with respect to appropriations in their budgets. Effective immediately.

LRB095 23085 RCE 53678 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Emergency Budget Act of Fiscal Year 2009.

6 Section 5. Contingency reserves.

7 (a) Notwithstanding any continuing appropriations to the  
8 contrary, the Governor may designate the following as  
9 contingency reserves:

10 (1) For each executive State agency that is directly  
11 responsible to the Governor, an amount no greater than 8%  
12 of the total appropriations made from the General Funds to  
13 that executive State agency that is directly responsible to  
14 the Governor.

15 (2) An amount no greater than 8% of the total  
16 appropriations of State funds to the State Board of  
17 Education.

18 (3) An amount no greater than 8% of the total  
19 appropriations of State funds for higher education  
20 purposes to each agency, board, commission, or university  
21 receiving funding for higher education purposes.

22 (4) An amount no greater than 8% of the total  
23 appropriations of State funds for contributions to the

1 State pension funds established under Articles 2, 14, 15,  
2 16, and 18 of the Illinois Pension Code.

3 (5) An amount no greater than 8% of the total  
4 distributions of revenues received on behalf of local  
5 governments or other payments to units of local government.

6 This subsection (a) does not apply to the General  
7 Obligation Bond Retirement and Interest Fund or to the Build  
8 Illinois Bond Retirement and Interest Fund.

9 (b) Amounts designated as a contingency reserve may not be  
10 obligated, encumbered, or expended.

11 (c) Any periodic transfers or expenditures must be reduced  
12 to accommodate a contingency reserve. Any necessary proration  
13 of periodic payments shall be distributed equally among the  
14 remaining payments for the fiscal year.

15 (d) In this Section, "executive State agency that is  
16 directly responsible to the Governor" means any office,  
17 officer, division, or part thereof, and other office,  
18 nonelective officer, department, division, bureau, board, or  
19 commission in the executive branch of State government, except  
20 that it does not apply to any agency whose primary function is  
21 service to the General Assembly or the judicial branch of State  
22 government, or to any agency administered by the Attorney  
23 General, Secretary of State, State Comptroller, or State  
24 Treasurer.

25 (e) The Lieutenant Governor, the Attorney General, the  
26 Secretary of State, the State Comptroller, and the State

1 Treasurer have the same rights and powers granted the Governor  
2 under subsection (a) with respect to those appropriations in  
3 each of their respective budgets.

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law.